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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

CATHERINE, RUSSO, individually and on behalf of JAMES RUSSO, Deceased,

Plaintiff,

٧.

PFIZER INC., PHARMACIA CORPORATION, and G.D. SEARLE, LLC,

Defendants.

Docket No.: 07-CV-0690-CRB

MDL NO. 1699

District Judge: Charles R. Breyer

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

Come now the Plaintiff, CATHERINE RUSSO, individually and on behalf of JAMES RUSSO, Deceased, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

DATED: 12, 2009

By: Ano C. Andersen

THE MILLER FIRM, LLP Two Bala Plaza, Ste. 603 Bala Cynwyd, PA 19004 Telephone: (212) 335-4500 Facsimile: (212) 335-4501 Attorneys for Plaintiff

DATED: 8/26, 2009

By: /s/ Loren Brown

DLA PIPER LLP (US) 1251 Avenue of the Americas New York, NY 10020 Telephone: (212) 335-4500 Egginile: (212) 335-4501

Facsimile: (212) 335-4501 Defendants' Liaison Counsel

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: sept. 1, 2009

